

Nebraska State Court Administrator
Parent Education Approval under the Nebraska Parenting Act (2007)

A. Name of Educational Component: *LB 554 Parent Education Guidelines and Approval Process*

B. Statutory Authority: Subsection (4) of Nebraska Revised Statute §43-2928 (2007) states: "The State Court Administrator's Office shall approve all parenting and child of divorce education courses under the act." The Parenting Act makes attendance at basic level parent education courses mandatory for all parties to a proceeding under the Parenting Act (Section 43-2928 (1)). Attendance at a second-level parenting education course and a child's participation in a child of divorce education course are both discretionary by the court. (Subsections (6) and (3) of §43-2928).

The Act sets forth descriptions of content of these courses as follows:

Subsection (5) states: "The basic level parenting education course pursuant to this section shall be designed to educate the parties about the impact of the pending court action upon the child and appropriate application of parenting functions. The course shall include, but not be limited to, information on the developmental stages of children, adjustment of a child to parental separation, the litigation and court process, alternative dispute resolution, conflict management, stress reduction, guidelines for parenting time, visitation, or other access, provisions for safety and transition plans, and information about parents and children affected by child abuse or neglect, domestic intimate partner abuse, and unresolved parental conflict."

Subsection (6) states: "The second-level parenting education course pursuant to this section shall include, but not be limited to information about development of provisions for safety and transition plans, the potentially harmful impact of domestic intimate partner abuse and unresolved parental conflict on the child, use of effective communication techniques and protocols, resource and referral information for victim and perpetrator services, batterer intervention programs, and referrals for mental health services, substance abuse services, and other community resources."

Subsection (3) states: "The court may order a child of parties to a proceeding under the act to attend a child of divorce education course which may include, but is not limited to, information about the adjustment of a child to parental separation, family and emotional well-being, conflict management, problem solving, and resiliency skills."

C. Implementation Process: An LB 554 Parent Education Guidelines Subcommittee was formed in June 2007 under the auspices of the State Court Administrator's Office to provide recommendations to the State Court Administrator for approval of parenting education. The Subcommittee's recommendations are contained within this document. Committee members represented a multi-disciplinary family law, education, and mediation background, as follows: David Hubbard, attorney and family law mediator, Omaha and Lincoln; Grant Story, professional educator for divorcing parents, Omaha; Michelle Zinke, professional educator for children in domestic relations and abuse; Mona Callies, adult education dean, Lincoln; Suzanne Curran Carney, attorney and mediator, Grand Island; Toni Ahrendt, professional probation and social work for families in domestic abuse, Lincoln; Debora Brownyard, attorney, mediator and educator, Lincoln; and Cindy Strasheim, child and family educator for divorcing parents, Loop City; and Romney Olson, child and family educator and mediator, Lincoln. This committee's recommendations were submitted for review to Carole McMahon-Boies, Judicial Branch Education director; whose recommendations have been incorporated in this draft.

D. Educational Objectives and Provider Guidelines:

The statutorily required educational objectives and provider guidelines are indicated below by an underlined statement. Additional educational components which are optional are itemized with each required educational objective.

1. **Basic Level Parenting Education**

a. **Objectives:** Parents who attend this educational course will:

- **Learn about the potential impact of the court action (separation/divorce) upon a child**
Additional elements under this objective may include:
 - To what extent should kids be involved in the court action
 - Empowering parents
 - Using a child centered approach
 - Safety
- **Identify ways to appropriately address parenting functions**
Additional elements under this objective may include:
 - Basic Parenting Education
 - Parenting functions as outlined in the statute
- **Identify the developmental stages of children**
Additional elements under this objective may include:
 - What is “normal” behavior
 - Ages and stages and the ranges of these stages
 - Impact of crisis such as divorce upon the stages of the child’s development
 - Consideration of the child(ren)’s stage(s) of development when designing the Parenting Plan
- **Learn about ways to support the child’s adjustment to parental separation**
- **Identify the elements of the court process in terms of the Parenting Plan**
Additional elements under this objective may include:
 - Elements of a parenting plan
 - Guidelines for parenting time/visitation/or other access
 - How to create a parenting plan (parental negotiation, attorney negotiation, mediation, specialized alternative dispute resolution (SADR), litigation)
- **Learn about alternative dispute resolution; conflict management; stress reduction; appropriate language usage and positive communication**
Additional elements under this objective may include:
 - Use of “I” messages and alienation)
 - Interest based negotiation techniques
- **Provisions for safety and transition plans**
- **Information about parents and children affected by child abuse/neglect/domestic intimate partner abuse (DIPA)/unresolved parental conflict**
Additional elements under this objective may include:
 - Mandatory reporting requirements
 - Effects of DIPA and child abuse/neglect at different stages of development
 - On going persistent parental conflict and its impact on children
 - Definitions/terms: domestic intimate partner abuse vs high conflict
- **Include resources and references for those wanting to get more information from web sites and books**

b. **Provider Guidelines**

- Each Parent Education Provider must address specific safety issues during the intake process and throughout the educational experience.

- To include but not limited to offering separate classes for either party in a case
- Phone screening questions to assess presence of domestic intimate partner abuse¹
- On-line and in person formats will be eligible for approval
- Each provider must provide a written proof of completion for each participant
- Divorce parenting education courses approved by other states' courts will automatically meet Nebraska's standards unless significantly different
- Providers must submit significant curriculum modifications to the AOC for approval
- Parenting Act mandated basic level classes must be at least two (2) hours in length and no more than six (6) hours in length
- Providers are encouraged to offer participants the opportunity to evaluate the course.
- Education Class Facilitator Qualifications shall include:
 - Bachelors degree required in children and family, psychology, sociology, social work related field or equivalent
 - Masters degree preferred in children and family, psychology, sociology, social work related field or equivalent OR equivalent experience in one of the above listed areas
 - Exceptions to these requirements will be reviewed on a case by case basis and approved by the AOC Parent Education Committee
 - Must submit three written references
 - Child welfare background check must be done for those facilitating the child of divorce course
 - Knowledge required in the following fields: Domestic Violence; Mediation and Specialized ADR under the Nebraska Parenting Act; Parenting Plans; Family Dynamics; Understanding of mandatory reporting requirements; Parental Conflict

2. **Second-Level Parenting Education**

a. **Objectives:** Parents who attend this educational course will:

- Identify the “why” and “how” to develop provisions for safety and transition plans
Additional elements under this objective may include:
 - As it applies to the parenting plan
 - Examples of safe transitions
 - Parallel parenting
 - Options if plan is violated
- Identify the potential harmful impact of domestic intimate partner abuse and unresolved parental conflict on the child
Additional elements under this objective may include:
 - Definition of terms
 - Developmental stage specific effects
 - Resiliency factors
 - Joint and sole custody behaviors
 - Purpose of child support and ways to defuse unnecessary conflict
- Learn effective communication techniques and protocols
Additional elements under this objective may include:
 - Plan for communicating about the needs of children
 - Safe communication for all parties with examples

¹ Nebraska Domestic Abuse Sexual Assault Coalition is a possible resource for screening questions

- Become aware of resource and referral information for victim, perpetrator, and batterer services
Additional elements under this objective may include:
 - Victim services
 - Perpetrator Services
 - Batterer Intervention Programs
 - Referrals for mental health services, substance abuse services, and other community resources

b. Provider Guidelines

- An increased level of security should be provided in relation to the second-level parenting course.
- Alternative approaches need to be taken in the second-level parenting course in relation to men and women (victim/batterer); with specific separate classes scheduled for men and separate classes for women
- Providers are encouraged to offer participants the opportunity to evaluate the course.
- A minimum of a two (2) hour and a maximum of a six (6) hour course
- Education Class Facilitator Qualifications shall include:
 - Bachelors degree required in children and family, psychology, sociology, social work related field or equivalent
 - Masters degree preferred in children and family, psychology, sociology, social work related field or equivalent OR equivalent experience in one of the above listed areas
 - Exceptions to these requirements will be reviewed on a case by case basis and approved by the AOC Parent Education Committee
 - Must submit three written references
 - Child welfare background check must be done for those facilitating the child of divorce course
 - Knowledge required in the following fields: Domestic Violence; Mediation and Specialized ADR under the Nebraska Parenting Act; Parenting Plans; Family Dynamics; Understanding of mandatory reporting requirements; Parental Conflict

3. Child of Divorce Education

a. Objectives: Children who attend this educational course will:

- Learn about ways for children to adjustment to separation
 - Divorce process for kids
 - How family may change but still be a family
- Learn about how to enhance family and emotional well-being
 - The separation/divorce isn't the child's fault
 - How to talk about feelings and needs – other communication skills
- Identify ways to manage conflicts with parents and others
 - Staying out of the middle
 - Staying safe
 - Recognizing age-appropriate ways to identify domestic intimate partner abuse and impact on the child
- Learn ways to enhance resiliency in the midst of divorce/ separation
 - Share information on resources for kids in the area

b. Provider Guidelines

- Child friendly facility
- Facilitator awareness of community resources
- Age appropriate content
- Providers are encouraged to offer participants the opportunity to evaluate the course
- Providers are encouraged to arrange child education to run concurrent with parent education
- Minimum of one (1) hour class and maximum of six (6) hour class
- Education Class Facilitator Qualifications shall include:
 - Bachelors degree required in children and family, psychology, sociology, social work related field or equivalent
 - Masters degree preferred in children and family, psychology, sociology, social work related field or equivalent OR equivalent experience in one of the above listed areas
 - Exceptions to these requirements will be reviewed on a case by case basis and approved by the AOC Parent Education Committee
 - Must submit three written references
 - Child welfare background check must be done for those facilitating the child of divorce course
 - Knowledge required in the following fields: Domestic Violence; Mediation and Specialized ADR under the Nebraska Parenting Act; Parenting Plans; Family Dynamics; Understanding of mandatory reporting requirements; Parental Conflict

E. Administrative Office of the Courts Approval Process

1. Transition Period: October, 2007 – June, 2008

- Dissemination of AOC approved LB 554 Parenting and Child Education Learning Objectives and Provider Guidelines
 - Posted on the Supreme Court website within 10 days of approval by AOC
 - Mailed to known divorce parenting education providers within 10 days of approval
- Providers submit a letter to AOC by December 10, 2007 stating:
 - Which education curriculum is requested to be approved (Basic; Second-Level; Child)
 - Statement that the provider meets the learning objectives and provider guidelines, including facilitator qualifications
 - Educational agenda, including time frames and duration of course
 - Location of classes
 - Schedule of classes for the calendar year
 - Costs of classes and provision for waiver or sliding fee scale
 - Submit three written references regarding facilitators' performance and quality as educator in this field
- AOC provides written approval or written denial with reasons to provider applicant by December 20, 2007

2. Ongoing: July 1, 2008 and following fiscal years

- All educational providers will submit six (6) hard copies or one electronic copy of a Divorce Education Proposal Packet to the State Court Administrator's Office by September 15, 2008. This packet will include:

- Facilitator information with information/proof regarding how he/she meets the qualifications
- Summary of the curriculum and how it meets the course requirement; including (if applicable): handouts; written summary of any videos; powerpoint presentation
- Outline of curriculum
- Educational agenda, including time frames and duration of course
- Location of class
- Schedule of classes for the calendar year
- Cost of classes and provision for waiver of fee or sliding fee scale
- Statement as to the facilitator's credentials and how they meet the AOC guidelines; or in the alternative, a request for a consideration for exception to the facilitator requirements along with justification
- Statement as to how the course meets safety protocols, including screening of participants for domestic abuse, or in the alternative, policies or practices that schedule men and women separately for classes
- Approval or denial of approval will be provided by the State Court Administrator by November 1, 2008
- Approval period will be for five (5) calendar years, beginning January 1, 2009; unless otherwise specified by the State Court Administrator, or, provider makes significant modifications to curriculum and delivery
- A Divorce Parent Education approval committee will be appointed by the State Court Administrator. This committee will approve all curriculum and providers for the basic, second level, and child of divorce courses. Representatives from the following disciplines will be on this committee, and one individual may represent more than one discipline:
 - Domestic intimate partner abuse
 - Child and family therapy; social worker; child educator
 - Mental health provider
 - Attorney
 - Family mediator
 - Others as determined by the State Court Administrator
- Committee Review
 - Committee will meet and discuss any findings within four (4) weeks of receipt of the packet
 - Committee may request additional information (to include references)
 - i. Information will be distributed and reviewed before the decision will be made.
 - ii. Decision will be made within 2 weeks of the request for additional information
- Send Approval/Denial Letter